

**Petro Industrial Solutions, LLC.**

Site-Specific Safety Plan

**Incident/Property Damage Report Form**

Reported By Chad Persaud Dept. Sysre

Date 2/15/21

Date of Incident 2/15/21 Time of Incident 10:00 a.m. \_\_\_\_\_ p.m.

Location of Incident St. Thomas EPOS facility - Boiler Room

Was TSS Dept. Notified? Yes  No  Security Dept? Yes  No

**Incident Report**

Please provide a brief description of the type of damage:

Injury to Person Andrew Canning

Damage to Property Boiler room access platform

Other (describe) \_\_\_\_\_

Name of Party \_\_\_\_\_ Phone \_\_\_\_\_

Address (include complete address, with street address, city, state and zip)

Driver's License No. \_\_\_\_\_ Vehicle License No. \_\_\_\_\_

Briefly Describe What Happened:

Andrew claimed to have fallen through the grating of the platform to the boiler. Chad was call up to the control room

Witnesses:

Name \_\_\_\_\_ Address \_\_\_\_\_

Phone \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Phone \_\_\_\_\_

**EXHIBIT**

**13**

by Andrew Kennedy. Chad was in the pump bay.  
Once he arrived, Andrew in an upset manner told Chad  
that he had fallen through the platform because  
of substandard bolt & f work. Chad, accompanied by  
TPS Supervisor Granger, went to the boiler room  
to investigate. Chad went up the platform to check  
Andrew's claim of substandard work/welding only to  
confirm that additional fastener clips were needed.  
The additional fastener clips had already been ordered  
and had advised TPS supervisor of the matter.

The fastener clips were acquired this past weekend  
and have already been installed.

Ralphy  
2/15/21

Adrian Melendez

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*Andrew fell*

**From:** Merlin Figueira <mef@vtti.com>  
**Sent:** Friday, February 12, 2021 9:58 AM  
**To:** Adrian Melendez  
**Cc:** David Smith  
**Subject:** Re: St Thomas

Ok thanks Adrian

Sent via the Samsung Galaxy S20+ 5G, an AT&T 5G smartphone  
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**From:** Adrian Melendez <adrian@petroindustrial.us>  
**Sent:** Friday, February 12, 2021 9:37:39 AM  
**To:** Merlin Figueira <mef@vtti.com>  
**Cc:** David Smith <dsm@vtti.com>  
**Subject:** Re: St Thomas

Merlin,

One last thing Andrew shouted out I fell to mention in the prior email. He stated he was going to sue Petro and IPOS because he fell through the platform.

Sorry gents.

Adrian Melendez  
Project Manager

956-605-4142

On Feb 11, 2021, at 6:37 PM, Merlin Figueira <mef@vtti.com> wrote:

Adrian, today was difficult for us considering the situation that occurred. We are reviewing the incident and once we have finalized our findings we will revert.  
Thanks for your report on the aftermath of the incident.  
Regards,  
Merlin

Sent via the Samsung Galaxy S20+ 5G, an AT&T 5G smartphone  
Get [Outlook for Android](#)

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**From:** Adrian Melendez <adrian@petroindustrial.us>  
**Sent:** Thursday, February 11, 2021 6:14:09 PM  
**To:** Merlin Figueira <mef@vtti.com>; David Smith <dsm@vtti.com>  
**Subject:** St Thomas

Good evening gents,

This is not to lessen the near mess that happened this morning and St Thomas; but I did want to make you guys aware of the interaction that happen afterwards.

Andrew confronted Chad about him falling through the grading of the platform on top of the boiler. Andrew calling our work “bullshit work” and our welding “substandard” and has no place at the facility. Chad went down to the boiler room and met Corey and Granger which were already investigating the incident. Chad says that they went up on the platform to check what welding Andrew was speaking of and realize that it was not the welding and only needed additional fastener clips. Chad then went back to the Control Room to talk to Andrew and this time Frank, our safety, get verbally attacked by Andrew too. Andrew calls Frank over by saying “hey you safety guy, I fell through a platform because of bullshit work that petro did. How could you guys consider yourself a welding company when all your work is substandard.” At one point Andrew was yelling at Frank so loud that Frank had to tell him “I don’t need this shit” and had to walk out of Andrew’s office to avoid any more confrontation.

The reason I’m emailing you guys this is because I believe this was not professional. To be told that our company is “substandard” and that our work is “bullshit work” front of not only our employees but could be heard my IPOS employees too.

Last thing, for whatever it’s worth, David Nagle did tell Chad and Frank that Andrew was jumping up and down on the platform to check its integrity.

Sorry for the nagging gentlemen, good night.

Adrian Melendez  
Project Manager  
956-605-4142

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